

**Country/entity** Somalia

**Region** Africa (excl MENA)

**Agreement name** Decision on the High Level Committee, Djibouti Agreement

**Date** 25 Nov 2008

**Agreement status** Multiparty signed/agreed

**Interim arrangement** Yes

**Agreement/conflict level** Intrastate/intrastate conflict

### **Somali Civil War (1991 - )**

Originally spurred by centre-peripheral tensions, fighting broke out in 1981 between the regime of President Said Barre and the Somali National Movement, a militia primarily consisting of members from the northern Ishaq clan. Fighting intensified in the late 1980s as more clan-based militias arose. President Barre's regime collapsed in late 1991 and as a result the UN intervened. However persistent attacks on the UN's forces forced a withdrawal in 1994. From the mid- to late 1990s, the character of the conflict shifted as warlords fought for access to rents. Also during this period, two different peace agreements arose; the Soderre Declaration, which was mediated by Ethiopia and supported by IGAD, and the Cairo Accord, which was brokered by Egypt. Fighting, already noticeably lessened compared to the early 1990s, decreased and the more amicable environment paved the way for the Transitional Government to be formed in 2000 (replaced in 2004 by the Transitional Federal Government).

Nonetheless, opposition to the TFG arose in the form of the Islamic Courts Union (ICU), which by early 2006 had taken control of most of southern Somalia until they were ousted by an armed intervention by Ethiopia in December 2006. As a result, the ICU splintered. Hard-line ICU members formed the Takfiri organization, Harakat al-Shabaab al-Mujahideen, and launched a guerrilla campaign against the TFG. Another faction of the ICU fled to Djibouti and formed the Alliance for the Re-liberation of Somalia, which was absorbed into the ruling TFG after successful negotiations in 2007.

To deal with the new round of fighting, the UN-mandated AMISOM force was deployed in 2007. Since then, insecurity has fluctuated between the urban and rural areas as the al-Shabaab's territorial gains waver. Local militia leaders maintain de facto governance over communities. From 2009 to 2012, insecurity spilled over into the Gulf of Aden and the Indian Ocean when Somali pirates seized, looted and ransomed ships. In 2014, 'Operation Indian Ocean' was launched and in parallel with infighting among al-Shabaab, the organisation's position in Somalia has diminished slightly. However, as evidenced by large-scale attacks by al-Shabaab in northern Kenya throughout 2013-2015, the lack of security continues to destabilize the region. Al-Shabaab continues to launch surprise attacks with the aim of forcing out foreign military presence in Somalia. Targets include both military forces and civilians. The devastating attack in October 2017 in Mogadishu saw 587 fatalities and resulted in a renewed military offensive by the Somali government and African Union allies. Since 2017, the U.S. has increased its air strikes targeting al-Shabaab militants, and in December 2018 they announced to re-establish a permanent diplomatic mission in the country. Al-Shabaab has been characterized as a spoiler in the Somali peace process and have therefore been placed outside of any negotiations.

Close

Somali Civil War (1991 - )

**Stage** Framework/substantive - partial

**Conflict nature** Government

<b>Peace process</b>	Somalia Peace Process
<b>Parties</b>	Transitional Federal Government signed by Ahmed Abdisalaan Adan; Alliance for the Re-Liberation of Somalia signed by Abdirahman A. Warsame
<b>Third parties</b>	UN Special Representative of the Secretary-General signed by Ahmedou Ould-Abdallah; Minister of Religious Affairs and Waqf, Government of Djibouti.
<b>Description</b>	A short framework agreement for absorbing the ARS into the TFG; discussing the possibility of creating an international court for human rights violations and establishing mechanisms of accountability.

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**Agreement document** [SO\\_081125\\_Decision on the High Level Committee Djibouti Agreement.pdf \(opens in new tab\)](#) | [Download PDF](#)

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### Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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## Gender

**Women, girls and gender** Page 2, Art. 5, • An intention by the Parties to reach out to those who are outside the process as well as members of the civil society, including women and the business community, and the Diaspora. Seventy-five additional seats in the Parliament will be reserved to that end;

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## State definition

**Nature of state (general)** No specific mention.

**State configuration** Page 1, Art. 3. The Parties have agreed on a number of guiding principles as a framework to strengthen their commitments on political cooperation -particularly of the establishment of a Unity Government and an inclusive Parliament.

**Self determination** No specific mention.

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/ secession** No specific mention.

**Accession/ unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** No specific mention.

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## **Governance**

**Political institutions (new or reformed)** No specific mention.

**Elections** No specific mention.

**Electoral commission** No specific mention.

**Political parties reform** No specific mention.

**Civil society** Page 2, Art. 5, • An intention by the Parties to reach out to those who are outside the process as well as members of the civil society, including women and the business community, and the Diaspora. Seventy-five additional seats in the Parliament will be reserved to that end;

**Traditional/religious leaders** No specific mention.

**Public administration** No specific mention.

**Constitution** No specific mention.

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## Power sharing

### Political power sharing

Power sharing→Political power sharing→Executive coalition  
State level

... • The establishment of a working group that will engage, under the facilitation of the United Nations, on details of the Unity structures and to submit proposals in 30 days to the next session of the High Level Committee.

Power sharing→Political power sharing→Proportionality in legislature  
State level

Page 2, 5. They agreed on the following proposals:

- That the new inclusive Parliament will have the responsibility to elect the new Leadership;

...

- The principle of responsible sharing of leadership positions will be adhered to;

Page 2, Art. 5. They agreed on the following proposals:

- To enlarge the Parliament by an extra 200 seats allocated to the Alliance for the Re-liberation of Somalia;

- An intention by the Parties to reach out to those who are outside the process as well as members of the civil society, including women and the business community, and the Diaspora. Seventy-five additional seats in the Parliament will be reserved to that end;

Power sharing→Political power sharing→International involvement

State level

Page 2, 5. They agreed on the following proposals:

... • The establishment of a working group that will engage, under the facilitation of the United Nations, on details of the Unity structures and to submit proposals in 30 days to the next session of the High Level Committee.

### Territorial power sharing

No specific mention.

### Economic power sharing

No specific mention.

### Military power sharing

No specific mention.

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## Human rights and equality

### Human rights/RoL general

Page 2, Art. 2. The parties welcome the conclusion of the Workshop on Justice and Reconciliation including agreement to possibly establish a Commission of Inquiry and an international court to address violations of human rights and international law and impunity in their country. A joint working group has been established to follow up on the preparation of next year's conference on Justice and Reconciliation.

**Bill of rights/similar** No specific mention.

### Treaty incorporation

No specific mention.

**Civil and political rights** No specific mention.

**Socio-economic rights** No specific mention.

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### **Rights related issues**

**Citizenship** No specific mention.

**Democracy** No specific mention.

**Detention procedures** No specific mention.

**Media and communication** No specific mention.

**Mobility/access** No specific mention.

**Protection measures** No specific mention.

**Other** No specific mention.

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### **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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### **Justice sector reform**

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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### **Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** No specific mention.

**Business** • An intention by the Parties to reach out to those who are outside the process ... including ... business community ...

**Taxation** No specific mention.

**Banks** No specific mention.

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### **Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian rights or access** No specific mention.

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## **Security sector**

**Security Guarantees** No specific mention.

**Ceasefire** No specific mention.

**Police** No specific mention.

**Armed forces** No specific mention.

**DDR** No specific mention.

**Intelligence services** No specific mention.

**Parastatal/rebel and opposition group forces** No specific mention.

**Withdrawal of foreign forces** No specific mention.

**Corruption** Page 1, Art. 4. These include:  
• Addressing impunity through the Unity Government;  
• Establishing mechanisms that will place priority on ensuring accountability  
- politically, financially and morally  
- of the Unity Government and respecting recognized international legal instruments.

**Crime/organised crime** No specific mention.

**Drugs** No specific mention.

**Terrorism** No specific mention.

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## **Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** No specific mention.

<b>Courts</b>	Transitional justice→Courts→International courts Page 2, Art. 2. The parties welcome the conclusion of the Workshop on Justice and Reconciliation including agreement to possible establish a Commission of Inquiry and an international court to address violations of human rights and international law and impunity in their country. A joint working group has been establish to follow up on the preparation of next year's conference on Justice and Reconciliation.
<b>Mechanism</b>	Page 2, Art. 2. The parties welcome the conclusion of the Workshop on Justice and Reconciliation including agreement to possible establish a Commission of Inquiry and an international court to address violations of human rights and international law and impunity in their country. A joint working group has been establish to follow up on the preparation of next year's conference on Justice and Reconciliation.
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	Page 2, Art. 2. The parties welcome the conclusion of the Workshop on Justice and Reconciliation including agreement to possible establish a Commission of Inquiry and an international court to address violations of human rights and international law and impunity in their country. A joint working group has been establish to follow up on the preparation of next year's conference on Justice and Reconciliation.

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## **Implementation**

**UN signatory** UN Special Representative of the Secretary-General signed as witness.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar** No specific mention.

**Enforcement mechanism** No specific mention.

**Related cases** No specific mention.

**Source** UN Peacemaker - <http://peacemaker.un.org/>; [http://peacemaker.un.org/sites/peacemaker.un.org/files/SO\\_081125\\_Decision%20on%20the%20High%20Level%20Committee%20Djibouti%20Agreement.pdf](http://peacemaker.un.org/sites/peacemaker.un.org/files/SO_081125_Decision%20on%20the%20High%20Level%20Committee%20Djibouti%20Agreement.pdf)

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